

Message Text

SECRET

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ACTION SS-25

INFO OCT-01 ISO-00 SSO-00 /026 W
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R 281140Z MAR 77
FM AMEMBASSY NICOSIA
TO SECSTATE WASHDC 5563

S E C R E T SECTION 1 OF 3 NICOSIA 0838

EXDIS

E.O. 11652: XGDS-2
TAGS: PFOR, SY, CY, US
SUBJECT: DAVIES CASE

I. SUMMARY: SECTION EIGHT, PART ONE, WHICH COMPLETES OUR REVIEW OF THE CYPOL COVERING REPORT, DESCRIBES HOW THE CYPOL CHIEF CID ORDER THE ARREST, ON AUG. 20, 1974, OF KTIMATIAS, XENOFONTOS AND PROESTOS AS PRIME SUSPECTS ONLY TO HAVE THE CHIEF OF POLICE COUNTERMAND THE ORDER REGARDING THE FIRST TWO PERSONS. CYPOL CONCLUDES ITS REPORT BY NOTING THE INVESTIGATION WAS CARRIED OUT IN CLOSE COOPERATION WITH MR. J. FERSON (SIC), SECURITY OFFICER, STATE DEPT., U.S.A. CONCLUDING PART ONE IS OUR REVIEW OF THE 86-PAGE SUMMARY OF EVIDENCE, AS PROVIDED THE DEFENSE COUNSEL. THIS DOCUMENT, WRITTEN IN GREEK, WILL SERVE AS THE BASIS FOR THE PROSECUTION'S CASE AGAINST THE SIX DEFENDANTS. A CAREFUL REVIEW REVEALS SURPRISINGLY FEW CONFLICTS WITH, OR SIGNIFICANT OMISSIONS FROM, THE INFORMATION IN THE CYPOL COVERING REPORT. IT CONTAINS STATEMENTS FROM SIX ADDITIONAL WITNESSES WHO ENTERED THE CASE SUBSEQUENT TO THE COMPLETION OF THE COVERING REPORT. OUR FINAL ANALYSIS OF THE DAVIES INVESTIGATION WILL BE GIVEN IN PART TWO TO BE TRANSMITTED SEPTEL. END SUMMARY.

II. BEGIN SECTION EIGHT, PART ONE - GENERAL EVIDENCE

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(CONTINUED)

WITNESS NO. 37 - MICHALAKIS PANTELIDES, FORMER CHIEF/
CYPOL

THIS PERSON SAID HE HAD BEEN APPOINTED CHIEF/CYPOL ON JULY 15, 1974, THE DAY OF THE COUP. HE SAID HE HAD NEVER GIVEN INSTRUCTIONS FOR KTIMATIAS TO BE ATTACHED

TO THE NATIONAL GUARD.

WITNESS NO. 38 -CYPOL SUPT. KYRIAKOS SOLOMONIDES

IN HIS SIGNED STATEMENT HE SAID HE HAD BEEN THE OFFICER IN CHARGE OF CID FROM JULY 28, 1974 UNTIL SEPT. 9, 1974. ON AUG. 19 HE HAD LEARNED FROM SUPT. RIGHAS THAT AMBASSADOR DAVIES HAD BEEN KILLED DURING AN ANTI-AMERICAN DEMONSTRATION. HE IMMEDIATELY WENT TO THE SCENE. WITH MAJOR TSANGARIS' ASSISTANCE HE FOUND 67 EXPENDED CARTRIDGE CASINGS NEAR THE BUILDING UNDER CONSTRUCTION, ABOUT 198 FEET FROM THE SOUTHERN SIDE OF THE EMBASSY. HE ALSO COLLECTED TWO BULLET PROJECTILES FROM THE CORRIDOR WHERE THE AMBASSADOR HAD BEEN SHOT. HE DID NOT SEE KTIMATIAS, LEFTIS OR SAVVA AT THE SCENE.

AFTER HE RECEIVED INFORMATION THAT KTIMATIAS, XENOFONTOS, AND PROESTOS WERE IMPLICATED IN THE DEATHS OF THE AMBASSADOR AND MISS VARNAVA, HE ORDERED SEARCH WARRANTS AND THE ARRESTS OF THE THREE MEN. HE THOUGHT THAT ALL THREE HAD BEEN INTERROGATED BUT HAD OFFERED ALIBIS. HE LEARNED LATER THAT KTIMATIAS AND XENOFONTOS HAD NOT BEEN ARRESTED, ON ORDERS OF THE CHIEF OF POLICE. PROESTOS WAS ARRESTED, DETAINED AT THE LYCAVITOS POLICE STATION FOR TWO DAYS, THEN RELEASED.

WITNESS NO. 39 - POL. SGT. 601, MICHALAKIS CHRYSANTHOU AND WITNESS NO. 40 - POL. SGT. 170, ANTONIS IOAKIM, WERE BOTH WITH CID ON AUG. 19 AND ASSISTED IN COLLECTING
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THE EXHIBITS AT THE SCENE.

CYPOL REMARKS:

A. THE ORIGINAL DOCKET-FILE OF THE CASE WAS LOST OR STOLEN BETWEEN FEBRUARY AND SEPTEMBER 1975 BY UNKNOWN PERSONS.

B. THE NEW INVESTIGATIONS INTO THE CASE WERE CARRIED OUT IN CLOSE COOPERATION WITH MR. J. FERSON (SIC), SECURITY OFFICER, STATE DEPARTMENT, U.S.A.

C. ALTHOUGH THE INQUIRIES WERE VERY DETAILED, NO EVIDENCE WAS OBTAINED TO SUBSTANTIATE ANY CONCLUSION THAT THE ACCUSED PERSONS WERE ACTING ON BEHALF OF ANY ORGANIZATION OR ANY PARTICULAR INDIVIDUAL; NOR HAS ANY EVIDENCE BEEN OBTAINED THAT ALL OF THEM, OR SOME OF THEM, WERE TOGETHER PRIOR TO THE SHOOTING.

1 FEB 1977 (SIGNED) ANTONIS PETRIDES, INSPECTOR OF POLICE

END OF CYPOL COVERING REPORT

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III. EMBASSY REVIEW OF SUMMARY OF EVIDENCE PROVIDED BY
ATTORNEY GENERAL TO THE DEFENSE COUNSELS:

1. THE TESTIMONY OF THREE WITNESSES WAS ENLARGED UPON IN
THE SUMMARY OF EVIDENCE:

A. CHRISTOFONOS LAMBRIANIDES IS REPORTED AS STATING
THAT AS HE OBSERVED KTIMATIAS FIRING AT THE EMBASSY FROM
THE GROUND-LEVEL SCAFFOLDING OF THE BUILDING UNDER CON-
STRUCTION, HE SAW KTIMATIAS EMPLACE A SECOND MAGAZINE
INTO HIS AUTOMATIC WEAPON AND CONTINUE FIRING UNTIL THE
AMMUNITION WAS EXPENDED.

B. HARRIS EVANGELIDES, EMBASSY CLERK, IS REPORTED
AS STATING HE HAD SHOUTED THROUGH AN EMBASSY WINDOW TO
SOME DEMONSTRATORS CARRYING PETROL TOWARD THE EMBASSY
TO HOLD OFF, THAT THERE WERE GREEK CYPRIOTS IN THE
EMBASSY BUILDING AS WELL AS AMERICANS. HE ALSO STATED
THAT AMBASSADOR DAVIES HAD TURNED TO FACE HIS OFFICE,
AND HAD HIS BACK TO EVANGELIDES, WHEN THE AMBASSADOR WAS
SHOT. (COMMENT: EVANGELIDES' RECOLLECTION IS AT VARI-
ANCE WITH THE FACTS. THE PATHOLOGIST'S REPORT STATES
THE AMBASSADOR WAS SHOT IN THE BACK; THE BULLET STRIKING
THE AORTA AND EMERGING THROUGH HIS CHEST. END COMMENT)

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C. CHIEF OF POLICE M. PANTELIDES FURNISHED MUCH MORE INFORMATION THAT THE CYPOL COVERING REPORT INDICATES. HE SAID THAT WHEN TOLD OF THE DEMONSTRATION ON AUG. 19, HE ADVISED CLERIDES, THEN DIRECTED SUPT. RIGHAS TO STRENGTHEN THE EMBASSY PROTECTION. IACAVO, OF PASYDY, TOLD HIM IT WOULD BE A PEACEFUL DEMONSTRATION AND HE ADVISED MARK MULVEY TO THAT EFFECT. WHEN THE RIOTING STARTED, PANTELIDES RETURNED TO THE EMBASSY, SAW THE SHOUTING, THE STONING, THE BURNING AND THE HEAVY TEAR GAS. HE CALLED CLERIDES AGAIN TO ALERT HIM OF THE RIOTING. HE WAS THEN TOLD BY MARK MULVEY OF THE TWO MURDERS. HE SAID HE DID NOT SEE KTIMATIAS, LEFTIS OR SAVVA AT THE SCENE.

2. A SIGNIFICANT OMISSION IS NOTED IN THE STATEMENT OF SUPT. K. SOLOMONIDES, C/CID, CYPOL. IN THE COVERING REPORT HE INDICATED CHIEF OF POLICE PANTELIDES COUNTER-MANDED HIS ORDERS OF AUG. 20, 1974 TO ARREST KTIMATIAS AND XENOFONTOS. NO MENTION IS MADE OF THIS INCIDENT IN THE SOLOMONIDES STATEMENT WHICH APPEARS IN THE SUMMARY OF EVIDENCE.

3. STATEMENTS FROM SIX MORE WITNESSES APPEAR IN THE SUMMARY OF EVIDENCE:

A. WITNESS NO. 43, DR. COSTAS CHRISTODOULAKIS, OF THE NEW NICOSIA CLINIC, SAID THAT WHEN AMBASSADOR DAVIES WAS BROUGHT TO THE CLINIC AT ABOUT 1300 HOURS HE DETERMINED THE AMBASSADOR WAS DEAD ON ARRIVAL, DUE TO A WOUND NEAR THE HEART.

B. WITNESS NO. 44, INSPECTOR IOANNIS ADRADJIOTIS (CID) SAID HE HAD ARRESTED SAVVA ON FEB. 4, 1977, ADVISED HIM OF HIS RIGHTS, AND SAVVA SAID NOTHING.

C. WITNESS NO. 45, INSPECTOR MICHAEL KOMODIKIS (CID)
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SAID HE ARRESTED LEFTIS AT HIS HOME ON FEB. 4, 1977, ADVISED HIM OF HIS RIGHTS AND HEARD LEFTIS SAY "I KILLED THE AMBASSADOR? I HAD ARRIVED AT THE EMBASSY AFTER THE MURDER. I WENT THERE AT THE INSTRUCTIONS OF MR. AZINAS." LEFTIS REFUSED TO SIGN A STATEMENT REPORTING THESE REMARKS.

D. WITNESS NO. 46, POL. SGT. GEORGE SAVVIDES (CID)
SAID HE ARRESTED CHARALAMBOUS IN STROVOLOS ON FEB. 4,
1977, ADVISED HIM OF HIS RIGHTS, BUT CHARALAMBOUS MADE
NO ANSWER.

E. WITNESS NO. 47, LOIZOU KYTHREOTIS, OF THE CYPRUS
BROADCASTING COMPANY, SAID THE FIRST RADIO ANNOUNCEMENT
OF AMBASSADOR DAVIES' DEATH TOOK PLACE AT 1330 HOURS,
AUG. 19, 1974.

F. WITNESS NO. 48, INSPECTOR TAKIS ANNASTASIADES
(FIRE BRIGADE) SAID THAT NINE EMBASSY VEHICLES HAD BEEN
COMPLETELY DESTROYED BY FIRE. SIX WERE IN THE EMBASSY
PARKING LOT; THREE WERE IN THE EMBASSY COMPOUND.

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FM AMEMBASSY NICOSIA
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4. THE STATEMENT OF KTIMATIAS, AS IT APPEARS IN THE
SUMMARY OF EVIDENCE, HAS THIS ADDITIONAL INFORMATION:
(A) HE HAD BEEN A MECHANIC WITH CYPOL FROM MARCH 2,
1964 UNTIL JULY 15, 1974 (THE DAY OF THE COUP) WHEN HE
FLED THE POLICE STATION WHERE HE WAS ASSIGNED. LATER
THAT DAY HE WAS TAKEN INTO CUSTODY BY SOLDIERS AND
DETAINED AT A NATIONAL GUARD CAMP COMMANDED BY GREEK
COL. BOUFAS; (B) WHEN QUESTIONED BY BOUFAS HE LEARNED
THAT SAMPSON HAD BEEN NAMED PRESIDENT AND PANTELIDES
CHIEF OF POLICE. HE TOLD BOUFAS HE HAD SERVED IN
SAMPSON'S UNIT IN 1964 AND WAS ALSO A CLOSE FRIEND OF
PANTELIDES; (C) ON JULY 16 BOUFAS TOOK HIM TO PANTELIDES'
OFFICE. PANTELIDES KEPT KTIMATIAS IN HIS OFFICE TO
SERVE AS LIAISON WITH THE NATIONAL GUARD. ON JULY 20,
WHEN THE TURKS INVADED, BOUFAS DETACHED KTIMATIAS TO

THE NATIONAL GUARD WITH RANK OF CAPTAIN. HE SERVED IN THAT CAPACITY UNTIL SEPT. 9 OR 10; (D) WHEN KTIMATIAS' HOUSE WAS SEARCHED IN MAY 1976 A LIST OF NAMES AND ADDRESSES WAS FOUND. HE SAID THEY WERE NOTES FROM HIS CID ASSIGNMENT; (E) A LETTER TO THE CHIEF OF POLICE DATED MAY 24, 1976 WAS FOUND IN KTIMATIAS' CAR. HE EXPLAINED HE HAD RECENTLY BEEN MALIGNED UNJUSTLY BY THE PRESS AS INVOLVED IN THE DAVIES MURDER. THE LETTER WAS A REQUEST TO RETAIN HIS SERVICE PISTOL, SINCE HE THOUGHT HIS LIFE WAS IN DANGER.

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5. THE STATEMENT OF LEFTIS HAD THIS ADDITIONAL INFORMATION: (A) HE WAS AT THE SCENE IN GREEN MILITARY CLOTHING, A GREEN BERET, AND BLUE SNEAKERS. (B) WHEN HIS HOUSE WAS SEARCHED IN SEPT. 1976 THE UNIFORM OF A POLICE INSPECTOR WAS FOUND. HE SAID HE HAD HAD IT SINCE 1964 AND KEPT IT AS A SOUVENIR, ALONG WITH A TURKISH SWORD, AMMUNITION BELT AND HOLSTER. SOME TELEPHONE EQUIPMENT (UNSPECIFIED) WAS ALSO FOUND. HE SAID HE HAD RETAINED IT SINCE 1964.

6. LOIZOU SAVVA'S STATEMENT HAD THIS ADDITIONAL INFORMATION: (A) HE HAD BEEN DISMISSED FROM CYPOL BUT WAS REINSTATED ON THE DAY OF THE COUP. HE HAD KNOWN SUPT. RIGHAS WELL AND RIGHAS HAD PERSONALLY ASSIGNED HIM TO MAJOR AVGOUSTIS. (B) HE HAD KNOWN KTIMATIAS BUT ONLY MET LEFTIS TWO MONTHS AGO.

END OF REVIEW OF SUMMARY OF EVIDENCE

7. EMBASSY ANALYSIS AND COMMENT WILL COVER THE ENTIRE INVESTIGATION AND WILL FOLLOW SEPTTEL AS PART TWO OF SECTION EIGHT.
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Message Attributes

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Sent Date: 28-Mar-1977 12:00:00 am
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Disposition Action: RELEASED
Disposition Approved on Date:
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TAGS: PFOR, SY, CY, US, (DAVIES, RODGER P)
To: STATE
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